

# THE CENTER FOR PUBLIC INTEGRITY

910 17<sup>th</sup> Street NW, 7<sup>th</sup> Floor, Washington, DC 20006

August 1, 2017

U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20004

Dear records officer,

This is a request under the Freedom of Information Act. On behalf of the Center for Public Integrity and myself, jointly, I request that you provide us copies of the records identified and described below – or of records containing the information identified and described below - in **machine-readable** electronic format:

- All records, **including but not limited to**, opinions, reports, memos, written presentations and analyses, prepared by the EPA's Office of General Counsel and/or the Office of Air Quality Planning and Standards, and/or the Office of Research and Development, and/or the Office of Policy in relation to Administrator Scott Pruitt's June 6, 2017 decision to delay by a year the **2015 ozone NAAQS** attainment designations.
- All records mentioning or prepared by or for the **Ozone Cooperative Compliance Task Force**, which was developed to provide "additional flexibilities for states to comply with the ozone standard."

We prefer to receive records in the following formats, listed in order of preference:

- (1) a spreadsheet format such as an Excel file, tab-delimited file or similar;
- (2) word processing file, text-based PDF, or similar;
- (3) other non-proprietary electronic format;
- (4) paper copies.

Please also provide any and all documentation related to such electronic records, including but not limited to data dictionaries, database documentation, record layouts, code sheets, data entry instructions, and similar printed or electronic documentation materials.

Please respond within **20 working days**, as the Act provides, or notify me if "unusual" or "exceptional" circumstances apply (as the Act uses those terms).

**Please release responsive records in segregable portions as they become available.**

If you decide to withhold an exempt portion of any record, please release all other segregable parts. If you withhold any record or portion of a record, please specify which statutory exemptions are claimed for each withholding. Please separately state your reasons for not invoking your discretion, as the Act allows, to release the requested information. Please describe each record withheld, including its date and size (e.g., amount of electronic memory or number of paper pages).

If there are any search, review, or duplication **fees greater than \$25**, inform me before you fill the

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request. But first please consider the Center's requests for fee reduction and fee waiver:

***Request for fee reduction as a representative of the news media:***

The Center for Public Integrity is a news media organization, and therefore this request should be exempt from all fees for search and review. This request is being made in connection with the Center's newsgathering functions and not for any other commercial purpose. The Center intends to produce one or more original investigative reports based on analysis of the requested information. The [Center's work](#) has won the 2014 Pulitzer Prize for Investigative Reporting and numerous other journalism awards.

The only federal court to consider the issue has held that the Center "is entitled to treatment as a representative of the news media for purposes of FOIA." [Center for Public Integrity v. HHS](#), Civil Case No. 06-1818, 2007 U.S. Dist. LEXIS 56172 (D.D.C. Aug. 3, 2007). In addition, our reporters covering Congress and congressional committees are credentialed by the Standing Committee of Correspondents of the Congressional Daily Press Gallery.

***Request for fee waiver:***

In addition, the Center requests a waiver of all duplication fees for this request as permitted under the Act. Disclosure of the requested information to the Center is likely to contribute significantly to public understanding of the operations or activities of the government by illuminating policymaking related to environmental health.

The disclosures we request under the Freedom of Information Act primarily serve the public interest and not any commercial interest.

Please feel free to contact me about any aspect of this request. In principle, the Center is willing to consider ways in which the request might reasonably be narrowed.

Thank you in advance for your diligence and compliance with open records law.

Best regards,

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